

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

<p>CONSERVATION LAW FOUNDATION, INC.,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>EXXON MOBIL CORPORATION, EXXONMOBIL OIL CORPORATION, and EXXONMOBIL PIPELINE COMPANY,</p> <p style="text-align: center;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case 1:16-cv-11950 (MLW)</p>
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**DEFENDANTS’ ASSENTED-TO MOTION FOR LEAVE  
TO FILE DOCUMENTS UNDER SEAL**

Pursuant to Local Rules 7.2 for the United States District Court for the District of Massachusetts and Paragraph 13.3 of the Stipulated Protective Order Regarding Confidentiality, ECF Nos. 126-1 and 130 (the “Protective Order”), Defendants Exxon Mobil Corporation, ExxonMobil Oil Corporation, and ExxonMobil Pipeline Company (collectively, “Defendants”) hereby move to file under seal the Defendants’ Status Report, dated August 4, 2022 (the “Status Report”), and Exhibit 1 attached thereto. Pursuant to Paragraph 13.3 of the Protective Order, in the event that this motion is granted, Defendants will file a redacted version of the Status Report and an unredacted version of the Status Report’s remaining, non-sealed exhibit on the public docket simultaneously with their filing of the Status Report and exhibits thereto under seal.

Exhibit 1 of the Status Report is the Sale and Purchase Agreement (the “SPA”) for the property on which ExxonMobil had operated the petroleum storage terminal that is the subject of this litigation. The SPA contains highly-sensitive, proprietary information that Defendants maintain as highly confidential in the course of their business. Accordingly, Defendants have

designated the SPA as “HIGHLY CONFIDENTIAL – ATTORNEY’S EYES ONLY” under the Protective Order.<sup>1</sup> In addition, the SPA is a still-pending corporate transaction and change-of-ownership agreement whose details are not yet publicly-disclosed. Public disclosure of the SPA could impact the terms and completion of the pending transaction. The redacted portions of the Status Report contain highly confidential information derived directly from the SPA.

In accordance with Local Rule 7.2(a), Defendants request that the unredacted version of the Status Report and the entirety of Exhibit 1 to the Status Report remain under seal for the duration of this action or until further order of the Court. If this motion is allowed, pursuant to Local Rule 7.2(a), Defendants request that the Court retain the sealed documents until the termination of this action, at which time they may be destroyed or returned to Defendants’ counsel.

**Certification Pursuant to Local Rule 7.1(a)(2)**

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certify that they conferred with counsel for Plaintiff Conservation Law Foundation, Inc., who assent to this motion.

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For the foregoing reasons, Defendants respectfully request that this Court enter an Order granting Defendants’ Assented-to Motion for Leave to File Documents Under Seal.

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<sup>1</sup> CLF has agreed not to challenge Defendants’ designation of the SPA as “Highly Confidential – Attorney’s Eyes Only” for a period of time, but does not agree with the designation.

Respectfully submitted this 3rd day of August 2022.

EXXON MOBIL CORPORATION,  
EXXONMOBIL OIL CORPORATION, and  
EXXONMOBIL PIPELINE COMPANY

By their attorneys,

/s/ Daniel J. Toal

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Pipeline Company*

**CERTIFICATE OF SERVICE**

I, Daniel J. Toal, hereby certify that on August 3, 2022, in accordance with Local Rule 5.2(b), the foregoing Assented-to Motion for Leave to File Documents Under Seal was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. In the event that the motion is granted, unredacted copies of the Status Report and its exhibits will be sent electronically to the following counsel for Plaintiff Conservation Law Foundation, Inc.:

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/s/ Daniel J. Toal

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